

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

CREDIT SUISSE AG; CREDIT SUISSE AG,  
NASSAU BRANCH; CREDIT SUISSE  
(LUXEMBOURG) SA; CREDIT SUISSE  
INTERNATIONAL; CREDIT SUISSE  
NOMINEES (GUERNSEY) LIMITED; CREDIT  
SUISSE LONDON NOMINEES LIMITED; and  
CREDIT SUISSE (UK) LIMITED;

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02925 (CGM)

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS**

Defendants Credit Suisse AG; Credit Suisse AG, Nassau Branch; Credit Suisse  
(Luxembourg) SA; Credit Suisse International; Credit Suisse Nominees (Guernsey) Limited;  
Credit Suisse London Nominees Limited; and Credit Suisse (UK) Limited (“Defendants”) filed a  
motion to dismiss the Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil

Procedure 12(b)(6) (the “Motion”) on June 15, 2022 (ECF No. 105). The parties stipulated to rest on their papers and waive oral argument on the Motion on November 14, 2022 (ECF No. 119). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, and the Complaint. The Court entered a memorandum decision, dated November 21, 2022, regarding the Motion (the “Decision”) (ECF No. 123). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Defendants to file an answer to the Complaint is January 20, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

**Dated: November 29, 2022**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**